

EXHIBIT 44

Lisa Carwyle

From: Joey East
Sent: Tuesday, June 30, 2020 12:01 PM
To: Lisa Carwyle
Subject: Fwd: permit info
Attachments: Lafayette County - facility use policy 3.4.19 FINAL.docx; ATT00001.htm; Facility Use Permit-updated 6 16 20.doc; ATT00002.htm

Sent from my iPhone

Begin forwarded message:

From: Joey East <jeast@lafayettesheriff.net>
Date: June 27, 2020 at 7:09:00 AM CDT
To: Scott Mills <SMills@lafayettecoms.com>, Alan Wilburn <awilburn@lafayettesheriff.net>
Subject: permit info

Here is the use policy and permit for the court house. As I read it they are allowed to carry flags on some type of pole but not any type of sign that is attached to a stick or pole. Read over if you would like to . I also made some notes so I can try to get changed by the bos and attorney.

Title: Facility Use Policy
Number: FAC-01

Effective Date: March 4, 2019
Date Last Reviewed: April 20, 2015

Purpose:

To establish guidelines and procedures regulating the use of County facilities.

Overall Policy Guidelines:

1. This Facility Use Policy is established by the County Administrator under general authority granted by the Board of Supervisors.
2. This policy governs the use of public areas of buildings or facilities owned, leased or otherwise occupied exclusively by Lafayette County Government that are used for the conduct of County operational business. County facilities not covered by this policy and which are not generally available for public use include: Justice Court Complex, Detention Center, County library, parking lots, Fire Stations and facilities under the control of the Lafayette County School Board.
3. The primary use of the County facilities is for the conduct of County government business. Consequently, groups that are a part of or associated with Lafayette County government have priority use of most facility space. This includes: the Board of Supervisors, formal and standing Subcommittees of the Board of Supervisors, individuals members of the Board of Supervisors, Planning Commission, County Administrator, board or commissions appointed by the Board of Supervisors and County staff for purposes of County business. The above County entities have scheduling priority, but may not pre-empt already scheduled events.
4. Once a group has confirmation of using a particular space, no other user or entity, including those listed in #3, may pre-empt usage of this space, subject to emergency use by the Board of Supervisors.
5. The following groups are permitted to use public areas in County facilities and on County grounds to the extent permitted by law:
 - a. Non-profit citizen groups that are located in or do business in Lafayette County;
 - b. State/local political parties;
 - c. Individuals from any political group, or similar gathering of individuals, who are meeting for the purposes of engaging in political discussion.
6. The use of any County facility (that falls under this policy) (1) by profit-making groups or for profit-making purposes and (2) for private social functions such as weddings, birthdays and anniversary parties, is prohibited.

7. Such use must not interfere with County government functions, operations and business.
8. No admission fee can be collected for any event.

Definitions:

"Non-profit citizen group" includes agencies, corporations, partnerships, arts organizations or governmental entities, which can provide legal verification, such as IRS 501(3)c form, of non-profit status.

"Public area" includes the grounds and lobbies of County buildings, the Board Room, and Chancery and Circuit Courtrooms. It does not include: offices, workstations, stairwells, corridors or halls (even those within a department or accessible from a central, public access corridor); these areas are reserved for County business only.

Use of Facilities and Grounds:

Equal Access - This policy shall apply to all groups and individuals that have requested use of County facilities and grounds. No group or individual shall be excluded from equal access to County facilities or grounds because of considerations of sex, race, religious or political persuasions or views. However, use may be denied or terminated if there is a violation of the rules set forth in this policy and/or if the use poses health or safety risks. Permission to use Lafayette County facilities does not constitute an endorsement by Lafayette County or the Lafayette County Board of Supervisors

Commented [JE1]: Safety risk

Scope of and Restrictions on Use - Groups are generally limited to one reservation per month and the scheduling of reservations should occur no earlier than one (1) year in advance. The event must be conducted in approved areas only. The user shall obtain any licenses or permits required by law. Permission to use the building shall be granted for events which are scheduled to begin and end between 8:00 a.m. and 10:00 p.m. Monday - Friday. Use on weekends or after 10:00 p.m. is limited and must primarily be events coordinated and staffed by County employees and/or officials.

Commented [JE2]: Need to address time line. It should be no later than 5 pm unless special request to and approved by BOS

Liability - Any group using County facilities or grounds shall:

1. be required to release the County from any liability for damages caused to the user or its property during the time of use,
2. Indemnify and hold the County harmless from any liability to third parties for injury caused by the group or any persons or groups to attend the event,
3. be liable to the County for damages to County property or injuries to County employees or agents caused by the group or by any person attending the group's events, whether or not the damage is the result of negligence, intentional acts or accident,
4. provide evidence of a minimum \$1,000,000 in liability and property insurance coverage as part of any application for a function that may involve 50 or more persons.

Denial of Usage - The County reserves the right to deny applications for use if the user has previously violated the rules set forth in this policy or if the use would pose health or safety risks.

Solicitation - Solicitation in facilities and on grounds is strictly prohibited, including solicitation by employees for personal profit. Minor solicitations, such as parents selling items for child's school fundraiser or organizing a team for participation in a charity event may be allowed without approval provided it is not conducted in a disruptive manner. Solicitations for a charity event may occur with the express written permission of the County Administrator.

Applications for Usage:

- To reserve any County facility property a Facility Use Permit must be completed and approved.
- Applications should be submitted to the County Administrator at least thirty days in advance of the day needed.
- A nonrefundable fee of \$25.00 to cover administrative costs of processing the permit shall be paid to Lafayette County by the applicant with the applicant is filed.
- A Deposit and Use Fee based on an hourly rate of \$50.00 per hour of requested use must accompany the application. An additional deposit may be required in the event the Sheriff of Lafayette County determines that the event poses unusual security and traffic control measures, said additional amount will be calculated on the estimated wage rates of required personnel (See "Security").

Cancellation of Permission Due to County Closure - In the event County government is declared closed due to inclement weather or other reasons; any permission to use the facility or grounds is automatically withdrawn during the closure period. County government closure information is available on local radio and TV stations or the County website at www.lafayettemts.com. In such an event, the County shall not provide notice of cancellation - users shall be solely responsible for notifying event participants.

Logistics:

Food and Beverages - Food and/or beverages may be serviced and consumed only if approval is granted in advance of the event. Food and beverages are prohibited in the Board Room and Courtrooms at all times.

Parking - Individuals or groups holding or attending meetings or events are responsible for locating and using appropriate, available public parking.

Prohibitions:

- There shall be no alcoholic beverages served upon, consumed upon or brought onto County property.
- There shall be no illegal drugs brought onto or used on County property.
- Smoking is prohibited on County property.

Security - The user shall provide, at its own expense, any security that the user desires in addition to security normally provided by the County. The Sheriff shall determine whether and to what extent additional Sheriff Department deputies is reasonably necessary for the event for traffic control and public safety. The Sheriff shall base this decision on the size, location, duration, time and date of the event. If additional law enforcement protection for the event is deemed necessary by the Sheriff, he shall so inform the user. The total cost of Sheriff Protection must be paid in full 10 days prior to the event or the event will be canceled. The applicant may make a deposit of 25% of this amount in order to secure the date of the event, prior to making payment in full. If the event is canceled within 24 hours of the stated beginning time, no refund for law enforcement protection would be issued.

Set Up and Clean-Up - The group/user may use equipment and furniture, such as tables and chairs that are the property of the County and located in the approved meeting room. Tables and chairs may not be moved without prior approval. Any other needed equipment or furniture must be supplied by the group/user. After use of the room, the group/user shall be responsible for returning the meeting room/space to its original condition and configuration. The user is responsible for ensuring that all trash is placed in containers provided.

Electronic and Audio-Visual Equipment - The user/group may use projector screens located within the meeting room. Use of the audio-visual equipment in the Courthouse Courtroom is strictly prohibited.

Signs - Signs, emblems, banners, pennants, etc. may not be affixed to any building surface, steps, walls or light fixtures. If requested and approved by the County Administrator, County personnel may place banners on the exterior balcony of the Courthouse for a period not exceeding one (1) week. It is the owner of the banners responsibility to pick the banner up within thirty (30) days of it being removed from the balcony. No one at the event may carry or possess any length of metal, lumber, wood, plastic or PVS, or similar material for purposed of displaying a sign, poster, plaque or notice, unless such object is one-fourth inch or less in thickness and two inches or less in width, or if not generally rectangular in shape, such object shall not exceed three-fourths inch in its thickest dimension.

Commented [JE3]: Never mentions flags, so therefore I believe they can carry a flag, state, American but maybe not a flag with a message on it.

Grounds Use - Anchoring tents, canopies or other allowed structures must be accomplished with sandbags or other non-invasive methods which do not pose a potential hazard to underground facilities.

Other Items-

- No person participating in the event shall carry or wear any glass bottles, balloons filled with anything other than helium or air, body armor, bricks, stones, water guns, operational gas masks, or slingshots or similar manual projectile-launching equipment
- no person participating in the event shall carry an open flame.
- No person may conceal their identity during the event by wearing a mask, hood, or other device that covers, hides or conceals any portion of that individual's face:
 - a) With the intent to intimidate, threaten, abuse or harass any other individual;
 - b) With the intent to deprive any person or class of persons of the equal protection of the laws, privileges or immunities under the law, or for the purpose of hindering the authorities from giving or securing for all person's equal protections under the laws;

- c) With the intent, by force or threat of force to injure, intimidate, or interfere with any person because of his or her exercise of any right secured by local, state, or federal laws;
 - d) For the purpose of evading or escaping discovery, recognition, or identification during the commission of a criminal offense.
- No animals are allowed.

Microphones and Audio Speakers - No amplified sound is allowed on exterior properties.

This policy remains in effect until revised or rescinded.

**FACILITY USE APPLICATION AND PERMIT
LAFAYETTE COUNTY, MISSISSIPPI**

Permit Number _____

This application is to be completed by the individual or entity representative desiring to use any County facility for a particular date and time. Use permits will be issued through the County Administrator's office (236-2717) entitling the applicant to use such facility in a manner which will minimize disruption of County operations and community activities and maximize equal access to such facilities by all citizens. By submitting this application, the designated individual or organization agrees to be legally responsible for any damage thereto and costs of cleanup.* **APPLICATIONS MUST BE FILED 30 DAYS PRIOR TO THE EVENT, THE BOARD OF SUPERVISORS OR THE SHERIFF HAVE THE RIGHT TO WAIVE THE 30 DAY REQUIREMENT.**

BUSINESS NAME: _____ DATE: _____

CONTACT NAME (PHOTO ID REQUIRED): _____

TELEPHONE NUMBER: _____

ADDRESS: _____

EMAIL: _____

DATE OF MEETING/EVENT: _____

START TIME AND DURATION: _____

COUNTY FACILITIES: (PLEASE CHECK ONE)

SQUARE COURTHOUSE

CHANCERY BUILDING

_____ Grounds

_____ Grounds

OTHER: _____

EXPLANATION OF USE: _____

APPROXIMATE NUMBER OF PEOPLE IN ATTENDANCE: _____

NON-LIABILITY AGREEMENT: By submitting this application, the undersigned agrees to be responsible for any material damage to the premises resulting from the undersigned's use of the designated facility. The undersigned also agrees to hold Lafayette County, its officials and employees harmless as to any claim arising out of the undersigned's use of the premises.

RULES OF COURTHOUSE GROUNDS: The undersigned understands no one is allowed to block the sidewalk walking up to and around the statue, and no one is allowed to stand or climb onto the statue.

SIGNATURE: _____

\$25.00 APPLICATION FEE _____

\$50.00 PER HOUR RENTAL FEE _____

\$1,000,000 LIABILITY COVERAGE FOR MORE THAN 50 PEOPLE _____

PERMIT

_____ **GRANTED** _____ **DENIED (see attached)**

COUNTY ADMINISTRATOR

Commented [JE1]: Should say something like, The BOS can waive the 30 day requirement. Or after checking with law enforcement to make sure no security issues.